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7 **UNITED STATES BANKRUPTCY COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 In re)
10 ALICIA VILLARREAL SOSA,) Case No. 07-11364 AJ
11 Debtor.) Chapter 7
12 _____)
13 SARA L. KISTLER, Acting United States)
14 Trustee for Region 17,) Adv. Proc. No.: 08-_____
15 Plaintiff,)
16 v.)
17 ALICIA VILLARREAL SOSA,)
18 Defendant.)
19 _____)

20 **COMPLAINT FOR DENIAL OF DISCHARGE UNDER 11 U.S.C. § 727(a)(8)**

21 Sara L. Kistler, Acting United States Trustee for Region 17 (“Plaintiff”), avers as follows:

22 **I. JURISDICTION**

23 1. This adversary proceeding arises in the above-captioned chapter 7 bankruptcy case of In
re Alicia Villarreal Sosa, Case No. 07-11364 (“Current Case”).

24 2. On October 26, 2007, Alicia Villarreal Sosa (“Defendant”) commenced the Current Case
25 by filing a voluntary petition for chapter 7 relief in this Court.

26 3. This Court has jurisdiction over this adversary proceeding under 28 U.S.C. §§ 157 and
27 1334 and 11 U.S.C. § 727.

28 5. This is a core proceeding under 28 U.S.C. § 157(b)(2)(J).

COMPLAINT FOR DENIAL OF DISCHARGE UNDER 11 U.S.C. § 727(a)(8)

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6. Plaintiff has standing to object to the granting of Defendant's discharge under 11 U.S.C. § 727(c)(1), among other bases.

7. The deadline to file a complaint seeking a denial of Defendant's discharge is February 4, 2008.

8. This complaint is timely.

II. DEFENDANT IS INELIGIBLE TO RECEIVE A DISCHARGE

9. On December 22, 2000, Defendant filed a voluntary petition for chapter 7 relief in the this Court, bearing Case No. 00-12914 (“Prior Case”).

10. Defendant received a chapter 7 discharge in the Prior Case on March 26, 2001.

11. The Prior Case was filed within eight years of the Current Case.

12. Defendant is therefore not eligible to receive a discharge in the Current Case under 11 U.S.C. § 727(a)(8).

III. RELIEF SOUGHT

13. Based upon the foregoing, Plaintiff prays that Defendant Alicia Villarreal Sosa be denied a discharge in the Current Case, and that the Court grant such other relief as is just and equitable.

Dated: February 4, 2008

Respectfully Submitted,

Sara L. Kistler,
Acting United States Trustee

By: /s/ James A. Shepherd (DC#476306)
Attorney for the U.S. Trustee